UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION DOCKET NO. 5:17-cv-00044-RLV

| MSCI 2007-HQ12 PHILLIPS LANE, LLC, |) | |
|------------------------------------|---|-------|
| Appellant, |) | |
| Vs. |) | ORDER |
| LARRY DEAN AUSTIN, |) | |
| Appellee. |) | |

THIS MATTER is before the court on the Brief of Appellant MSCI 2007-HQ12 Phillips Lane, LLC. As Appellant notes in page 3 of their brief, these appeals are intrinsically related to the appeal in Case No. 5:17-cv-00026-RLV. Given the prior denial of that appeal, and having considered Appellant's brief and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that the appeals referenced in the Brief of Appellant MSCI 2007-HQ12 Phillips Lane, LLC (#3) are **DISMISSED** as moot.

Signed: September 5, 2017

Max O. Cogburn Jr United States District Judge